

CHAPTER NO. 1132

HOUSE BILL NO. 2131

By Representatives Winningham, Ridgeway

Substituted for: Senate Bill No. 2206

By Senator Davis

AN ACT to amend Tennessee Code Annotated, Title 55, Chapter 4, to authorize the issuance of special license plates for Friends of the Big South Fork National River and Recreation Area.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 55-4-202(c)(3), is amended by adding a new subdivision thereto, as follows:

() Friends of the Big South Fork National River and Recreation Area;

SECTION 2. Tennessee Code Annotated, Section 55-4-203, is amended by adding a new item thereto, as follows:

() Friends of the Big South Fork National River and Recreation Area – twenty-five dollars (\$25.00);

SECTION 3. Tennessee Code Annotated, Title 55, Chapter 4, Part 2, is amended by adding the following as a new, appropriately designated section:

(a) Owners or lessees of motor vehicles or recreational vehicles who are residents of the State of Tennessee, upon complying with state motor vehicle or recreational vehicle laws relating to registration and licensing of motor vehicles or recreational vehicles, and paying the regular fee applicable to the motor vehicle or recreational vehicle and the fee provided for in § 55-4-203, shall be issued a Friends of the Big South Fork National River and Recreation Area special license plate, either for an automobile, recreational vehicle or a truck of one-half (1/2) or three-quarter (3/4) ton rating.

(b)(1) The funds derived from the sale of such Friends of the Big South Fork National River and Recreation Area special license plates, less the expense the State has incurred in designing and manufacturing such plates, shall be deposited in the Friends of the Big South Fork National River and Recreation Area endowment fund established by this section, to be used exclusively for the assistance of the National Park Service in the care of the Big South Fork National River and Recreation Area. The Commissioner of Environment and Conservation is authorized to make disbursements from the fund in the form of grants to Friends of the Big South Fork National River and Recreation Area, Inc., in order to provide such assistance.

(2) There is hereby established a general fund reserve to be allocated by the General Appropriations Act which shall be known as the Friends of the Big South Fork National River and Recreation Area endowment fund. Moneys from the fund may be expended to fund activities authorized by this section. Any revenues deposited in this reserve shall remain in the reserve until expended for purposes consistent with this section, and shall not revert to the general fund on

any June 30. Any excess revenues on interest earned by such revenues shall not revert on any June 30, but shall remain available for appropriation in subsequent fiscal years. Any appropriation from such reserve shall not revert to the general fund on any June 30, but shall remain available for expenditure in subsequent fiscal years.

(c) The special plates provided for in this section shall be issued in conformity with the provisions of § 55-4-202, and shall be designed in consultation with representatives of Friends of the Big South Fork National River and Recreation Area, Inc., the Director of the Titling and Registration Division of the Department of Safety and the Commissioner of Safety. The special plates shall include a unique identifying number, whereby the total characters do not exceed the sum of seven (7); provided, that no two (2) recipients shall receive identical plates.

(d)(1) The provisions of this section shall not be construed to mean that any eligible person shall be prevented from exchanging a regular type plate for one of special design; provided, that the fees prescribed under § 55-4-203 are paid.

(2) The whole or parts of the fee for a special registration plate shall not be refunded for the exchange of a regular plate.

(e) Additional special license plates may be obtained by any eligible person upon payment of the regular license fee for plates, as prescribed under § 55-4-111, plus the payment of the fee prescribed in § 55-4-203.

(f)(1) Special plates issued pursuant to this section may be transferred to another vehicle of the same weight class owned or leased by the same person upon proper application being made therefor and approved by the department.

(2) It is unlawful for any person to whom such plates have been issued to knowingly permit them to be displayed on any vehicle, except such as authorized by the department.

(g) Notwithstanding any other provision of this section, for the first fiscal year in which such license plates are issued and after deducting the expense the State has incurred in designing and manufacturing such plates, funds derived from the sale of license plates of the first one thousand (1,000) such plates pursuant to this section shall be distributed in accordance with §55-6-107, and funds derived from the sale of such license plates in excess of one thousand (1,000) shall be distributed as otherwise provided in this section. For succeeding fiscal years, all funds derived from the renewal of the plates described in this section or from any new issues of such plates, less any expense the State has incurred in designing and manufacturing such plates, shall be distributed as earmarked in this section with no further payments going to the general fund from such plates.

SECTION 4. Notwithstanding the provisions of Section 55-4-201(b)(1)(B), the special license plates authorized by this section shall be issued subject to the following requirements:

(1) A minimum order of at least five hundred (500) plates.

(2) If the plates authorized by this section have not qualified for initial issuance by July 1, 2000, such plates shall not be issued and the Commissioner

of Safety shall notify the Tennessee Code Commission that this section of Tennessee Code Annotated authorizing the issuance of such plates is, on the basis of such inactivity, to be deemed obsolete and invalid.

SECTION 5. This act shall take effect July 1, 1998, the public welfare requiring it.

PASSED: May 1, 1998


JIMMY RAIFEH, SPEAKER
HOUSE OF REPRESENTATIVES


JOHN S. WILDER
SPEAKER OF THE SENATE

APPROVED this day of 1998

DON SUNDQUIST, GOVERNOR

Pursuant to Article III, Section 18, of the Constitution of the State of Tennessee, the Governor had House Bill No. 2131 in his possession longer than ten (10) days, so therefore the bill becomes law without the Governor's signature.